

SENATE BILL 2361

By Gresham

AN ACT to amend Chapter 683 of the Private Acts of 1951; as amended by Chapter 21 of the Private Acts of 1979; Chapter 28 of the Private Acts of 1987; and any other acts amendatory thereto, relative to the charter of the City of Savannah.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 683 of the Private Acts of 1951; as amended by Chapter 21 of the Private Acts of 1979; Chapter 28 of the Private Acts of 1987; and any other acts amendatory thereto, is amended by deleting Article IV in its entirety and by substituting instead the following:

ARTICLE IV

Section 1. Nonpartisan elections shall be conducted by the Hardin County Election Commission under the general election laws of the state.

Section 2. A candidate for the officer of Commissioner must be a qualified voter who has resided within the municipality for at least one (1) year preceding the date of the election. All registered voters of the city are eligible to vote in municipal elections.

Section 3. A municipal election shall be held in the city on the second Thursday of August, 2009, to elect three (3) commissioners to succeed those whose terms expire on the first Monday of September, 2009. The terms of the three (3) commissioners elected in August, 2009 shall expire at noon on the first Monday in December, 2012.

A municipal election shall be held in the city on the second Thursday of August, 2011 to elect two (2) commissioners to succeed those whose terms expire on the first Monday of September, 2011. The terms of the two (2)

commissioners elected in August, 2011 shall expire at noon on the first Monday in December, 2014.

A municipal election shall be held in the city at the regular November election on the first Tuesday after the first Monday in November, 2012 to elect three (3) commissioners to succeed those whose terms expire at noon on the first Monday of December, 2012. The terms of the three (3) commissioners elected at the regular election November, 2012 shall expire at noon on the first Monday in December, 2016.

A municipal election shall be held in the city at the regular November election on the first Tuesday after the first Monday in November, 2014 to elect two (2) commissioners to succeed those whose terms expire at noon on the first Monday of December, 2014. The terms of the two (2) commissioners elected at the regular election November, 2014 shall expire at noon on the first Monday in December, 2018.

Thereafter a municipal election shall be held at the regular November election in even numbered years on the first Tuesday following the first Monday. The terms of the commissioners shall be for four (4) years following the election conducted in 2012.

The terms of the Commissioners elected in August, 2009 shall begin at noon on the first Monday in September, 2009. The terms of the Commissioners elected in August, 2011 shall begin at noon on the first Monday in September, 2011. The terms of all Commissioners beginning with the Commissioners elected in November, 2012 shall begin at noon on the first Monday in December following their election.

Section 4. No informalities in conducting any election held under this charter shall invalidate such election if it is conducted fairly and in substantial conformity with the requirements of this Article.

Section 5. The City of Savannah, Tennessee, at the majority vote of the County Commission, at a duly called meeting may, by resolution, direct the City

Election Commission to place certain questions on the ballot to be submitted to the voters of the City of Savannah, on matters of general and vital concern in order to obtain the advice and direction of the voters as to such matters. Such referenda shall be advisory and nonbinding.

SECTION 2. Chapter 683 of the Private Acts of 1951; and any other acts amendatory thereto, is amended by deleting Section 1 of Article VIII in its entirety and by substituting instead the following:

Section 1. The Board of Commissioners shall appoint and fix the salary of the City Manager who shall serve at the will of the Board of Commissioners; provided, however, that such Board may make a contract with such person for a period not exceeding thirty-six (36) months, and during such period he shall not be removed, except for incompetence, malfeasance, misfeasance, or neglect of duty. In case of the City Manager's removal within such period he may demand written charges at a public hearing thereon before the Board of Commissioners prior to the date upon which his removal was to take effect, but the decision and action of the Commission on such hearing shall be final, and pending such hearing the Commission may suspend him from duty. During the absence or disability of the City Manager the Commission shall designate some properly qualified person to perform his duties.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Savannah. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the Secretary of State.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.